

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
Plaintiff,

v.

ATHLETA LLC,  
Defendant.

Case No. 21-cv-01273-VC

**ORDER OF DISMISSAL**

The Court has been advised by the Notice of Settlement filed on April 2, 2021 that the parties have reached a provisional settlement. (Re: Dkt. No. 9). Therefore, it is ORDERED that this case is DISMISSED without prejudice. All deadlines and hearings in the case are vacated. Any pending motions are moot.

The parties retain the right to reopen this action within 60 days of this Order if the settlement is not consummated. If a request to reinstate the case is not filed and served on opposing counsel within 60 days, the dismissal will be with prejudice.

**IT IS SO ORDERED.**

Dated: April 5, 2021



VINCE CHHABRIA  
United States District Judge